

REMARKS

Claims 1-11, 26-31, 35, and 37-48 are pending. Claims 1, 26, and 38 are independent claims. The Office Action stated that claims 1-11, 26-30, 35, and 37-48 (and presumably also claim 31) were rejected under 35 USC § 112, first paragraph, for allegedly failing to comply with the written description requirement. The Office Action further stated that “ the claims require providing ‘directly and not via a controller’ a measurement.” The Office Action then advised Applicants “to pinpoint such description to the examiner or amend the claims to overcome the 112 rejection.”

In view of the following arguments, all claims are believed to be in condition for allowance over the prior art of record. Therefore, this response is believed to be a complete response to the Office Action.

Without conceding that the other independent claims are or are not of like scope, Applicants discuss claim 1 as exemplary. Claim 1 recites in part that “the processor is programmed to retrieve, via the first wireless communications device, directly and not via a controller in the equipment, at least one measurement from a second wireless communications device connected to at least one measurement device.” In support of the recitation “directly and not via a controller in the equipment,” Applicants point to at least the following paragraphs in their Specification: 0003, 0012, 0014, 0029, 0033, and 0034.

For example, paragraph 0003 explains the improvement that the presently claimed invention has made over prior systems:

at present, a user must depend on intermediate mechanisms, such as a central processor or CAN communications, to retrieve data from a sensor on a piece of equipment such as a vehicle. Accordingly, the need exists for an invention that enables the direct communication of data from sensors to a remote user.

From this statement alone, Applicants’ Specification would have “reasonably convey[ed] to one skilled in the relevant art that the inventors, at the time the application was filed, had possession of the claimed invention.” (Office Action, page 2.)

Further, paragraph 0012 of Applicants' Specification states that "remote device 100 communicates either directly or through wireless network 118 with measurement devices 120a, 120b, . . . , 120n." Paragraph 0014 states in part that "[M]easurement signal processing device 124 enables measurement device 120 to communicate with RF modem 106 via a direct wireless connection or via wireless network 118."

Moreover, paragraph 0029 of Applicants' Specification states that "measurement signal processing device 124 sends the data packet or packets created in step 308 to RF modem 106." Notably, there is no disclosure that measurement signal processing device 124 provides data to a controller or the like, and that the controller then sends data to the RF modem 106.

Paragraphs 0033 and 0034 are part of descriptions of processes running in a remote device 100. Paragraph 0034 states that "process [in the remote device 100] listens for data from measurement device 120." Again, notably, there is no disclosure that the process is listening for data from a controller relaying the data from the measurement device. Instead, the data is described as coming "from measurement device 120," i.e., directly. There is no disclosure that data comes from anything other than the measurement device; neither a controller nor any intermediate component is disclosed.

Applicants respectfully submit that any of the foregoing by itself would provide adequate support under Section 112, first paragraph, for the recitation of "directly and not via a controller" in Applicants' claims. When these disclosures are taken together, and in context, Applicants' Specification provides overwhelming support for the recitation "directly and not via a controller."

For at least the foregoing reasons, the present Section 112 rejection of Applicants' claims should be withdrawn, and the claims passed to issue.

CONCLUSION

All rejections have been addressed. In view of the above, the presently pending claims are believed to be in condition for allowance. Accordingly, reconsideration and allowance are respectfully requested and the Examiner is respectfully requested to pass this application to issue. It is believed that any fees associated with the filing of this paper are identified in an accompanying transmittal. However, if any additional fees are required, they may be charged to Deposit Account No. 18-0013, under Order No. 65856-0054, from which the undersigned is authorized to draw. To the extent necessary, a petition for extension of time under 37 C.F.R. 1.136(a) is hereby made, the fee for which should be charged against the aforementioned account.

Dated: January 15, 2009

Respectfully submitted,

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